

CHAITMAN LLP

Helen Davis Chaitman

hchaitman@chaitmanllp.com

465 Park Avenue

New York, New York 10022

Phone & Fax: 888-759-1114

Presentment Date: December 16, 2020 10:00 AM

Objection Date: December 9, 2020

Attorneys for Defendants

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

SIPA LIQUIDATION

Adv. Pro. No. 08-01789 (SMB)

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC,

Plaintiff,

v.

KUNTZMAN FAMILY LLC; JACQUELINE
D. GREEN, in her capacity as a Managing
Member of the Kuntzman Family L.L.C. and as
Trustee of the Irrevocable Trust FBO Jennifer
Gattegno and the Irrevocable Trust FBO Ethan
Siegel, both members of the Kuntzman Family
L.L.C.; WAYNE D. GREEN, in his capacity as
a Managing Member of the Kuntzman Family
L.L.C.; JUDITH GATTEGNO, in her capacity
as a Member of the Kuntzman Family L.L.C.;
IRREVOCABLE TRUST FBO JENNIFER
GATTEGNO, in its capacity as a Member of

Adv. Pro. No. 10-04752 (SMB)

the Kuntzman Family L.L.C.; and
IRREVOCABLE TRUST FBO ETHAN
SIEGEL, in its capacity as a Member of the
Kuntzman Family L.L.C.,

Defendants.

**DECLARATION OF HELEN DAVIS CHAITMAN IN SUPPORT
OF APPLICATION TO WITHDRAW AS COUNSEL**

I, Helen Davis Chaitman, hereby declare, under penalty of perjury pursuant to 28 U.S.C. §1746, as follows:

1. I am a partner with Chaitman LLP, counsel of record to Defendants Kuntzman Family LLC, Jacqueline D. Green, in her capacity as a Managing Member of the Kuntzman Family LLC and as Trustee of the Irrevocable Trust FBO Jennifer Gattegno and the Irrevocable Trust FBO Ethan Siegel, both members of the Kuntzman Family L.L.C.; and Wayne D. Green, in his capacity as a Managing Member of the Kuntzman Family L.L.C., (the “Kuntzman Green Defendants”). I submit this declaration in support of an application for an Order pursuant to Rule 2090-1(e) of the Local Bankruptcy Rules of this Court: (1) authorizing Chaitman LLP to withdraw as counsel to the Kuntzman Green Defendants; and (2) granting such other and further relief as the Court deems just and proper. Unless otherwise stated, the foregoing is based on my personal knowledge.

2. The Trustee commenced this adversary proceeding against the Kuntzman Green Defendants on December 1, 2010 (the “Adversary Proceeding”).

3. Thereafter, the Kuntzman Green Defendants retained Becker & Poliakoff LLP to represent them.

4. On behalf of the Kuntzman Green Defendants, while at Becker & Poliakoff, LLP, I filed a Notice of Appearance on March 11, 2011 (ECF Doc. No. 6).

5. On behalf of the Kuntzman Green Defendants, as a partner of Chaitman LLP, I filed a Notice of Appearance and Request for Service of Papers on November 9, 2015 (ECF Doc. No. 44).

6. On December 2, 2015, Chaitman LLP was informed by Becker & Poliakoff, LLP that the Kuntzman Green Defendants did not wish to transfer their representation to Chaitman LLP.

7. Due to an oversight, Chaitman LLP did not realize that the Kuntzman Green Defendants did not have their new attorney file a notice of appearance. However, there has been no communication to Chaitman LLP from the Kuntzman Green Defendants.

8. The Adversary Proceeding will not be disrupted or unduly delayed as a result of this firm's withdrawal as counsel for the Kuntzman Green Defendants.

9. Accordingly, cause exists to grant the application authorizing Chaitman LLP to withdraw as counsel for the Kuntzman Green Defendants.

Dated: October 28, 2020
New York, New York

/s/ Helen Davis Chaitman